

Juvenile Justice Improvement Committee
Judicial Conference of Indiana

Minutes
January 4, 2008

The Juvenile Justice Improvement Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on Friday, January 4, 2008 from 12:00 noon until 3:00 p.m.

1. Members present. Robert R. Aylsworth, Deborah A. Domine, Roger L. Duvall, Marilyn A. Moores, Lynn Murray, Brett J. Niemeier, Loretta H. Rush, Frank Sullivan, Jr., and Charles F. Pratt, Chair.
2. Staff present. Jeffrey Bercovitz, Nancy Gettinger, and Anne Jordan provided the committee with staff assistance.
3. Guests present. Judge James W. Payne, Director, and John P. Ryan, General Counsel, Department of Child Services; Amy Karozos, Chair, and Jerry Kelly, Civil Rights of Children Committee, Indiana State Bar Association; and John Huang, Law Clerk, Justice Sullivan, Jr. were present.
4. Minutes approved. The minutes for the meeting on November 2, 2007 were approved.
5. Sales of alcohol. Judge Pratt distributed material from Jim Killen opposing the expansion of sales of alcohol in gas station convenience stores. He explained Jim Killen brought this issue to him as Chair of the committee. Committee members discussed this may increase chances alcohol would be sold to juveniles, as well decrease job opportunities for teenagers, since they could not sell alcohol. Judge Pratt agreed to give the committee contact information for Jim Killen for additional information in this area.
6. Summit on Children. Nancy Gettinger reported fifty counties were represented at the recent Summit on Children held on December 14, 2007. The committee applauded her efforts on behalf of the summit. Members of the committee suggested some follow-up at the juvenile judges' conference in June 2008.
7. Juvenile costs.
 - a. Judge Murray, President, Indiana Council of Juvenile and Family Court Judges, reported on her testimony before the Senate Appropriations Committee on December 6, 2007. Jeffrey Bercovitz distributed an Indianapolis Star article about this testimony. He also distributed a letter from Judge Bonaventura about the need for judicial oversight in CHINS and Delinquency cases dated November 29, 2007. Judge Murray also discussed proposed language for state funding of services for CHINS. Jeffrey Bercovitz distributed language dated December 14, 2007.
 - b. Committee members discussed proposed language for state funding of services for delinquents. Judge Payne discussed the need for DCS personnel to review probation officer recommendations for delinquency cases. He also reviewed Ind. Code § 31-37-17-6.1, which requires the predispositional report to include the needs of the child, the options for placement/services for the child and recommendations. Members of the committee mentioned an increase in Title IV-E monies collected for delinquents could pay for DCS personnel to

review probation officer recommendations. Judge Pratt drafted language for use by Judge Payne in the development of legislation in this area. Judge Payne agreed to share wording of an amendment to HB 1001 with the committee.

c. Justice Sullivan encouraged judges to invite legislators to visit their juvenile court to see their work and encourage understanding of issues in this area.

8. Representation of juveniles. Amy Karozos, Chair, Civil Rights of Children Committee and Jerry York distributed the recommendations of the ABA report on Children's Access To Counsel in Indiana. They indicated Kentucky has statewide public defender services for children. Amy Karozos noted over one-half of Indiana's juvenile public defenders are either on contract or appointed by the judge and many serve on a part-time basis.

9. Juvenile Delinquency Guidelines.

a. Jeffrey Bercovitz distributed the endorsement by the Conference of Chief Justices and the Conference of State Court Administrators of the *Juvenile Delinquency Guidelines* by the National Council of Juvenile and Family Court Judges. He circulated copies of the guidelines for members of the committee to view.

b. Jeffrey Bercovitz reported that Arizona, New York and Georgia had done some work in the implementation of the delinquency guidelines. Committee members discussed an invitation to a judge from one of these states to discuss their implementation. They also discussed an invitation to Judge McCulley from Utah to return to discuss implementation of the NCJFCJ guidelines in child abuse and neglect cases. Both could be invited to the collaborative conference in June 2008.

c. Judge Pratt mentioned the use of JABG monies for the implementation of the recommendations.

10. Next meeting dates. Committee members agreed to meet again on the following dates: February 1, 2008, March 7, 2008, May 2, 2008, June 6, 2008, October 3, 2008 and November 7, 2008, all from 12:00 noon – 3:00 p.m. at the new offices of the Indiana Judicial Center at 30 South Meridian Street in Indianapolis.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Services